**Canada’s Constitution**

What makes our Government the way it is?

* The Constitution
	+ A formal set of rules that explain how a country and its peoples are governed
	+ It does two main things
		1. Define the relationship between a government and it’s people
		2. Establish the rules and responsibilities of how the government is organized and operated.

The Constitution

- Roles of the Constitution

1. Explain the rules and functions of government
	* Rules and procedures to ensure things run smoothly
	* Divides responsibilities between levels of government

2. Acts as the supreme law of Canada

* All laws of must obey the rules of the constitution
* A law can be ruled unconstitutional if it violates the constitution

3. Explains the rights of citizens

* Charter of rights and Freedoms
* Outlines the rights you have, and what your rights are limited to.

Changing the Constitution

* The constitution is a “living” document that can be changed to meet the needs and concerns of Canadians.
* To make a change, the federal government must agree to almost all changes, and some changes require half to all of the provinces approval as well.
* This can be difficult due to
	+ Regional differences and interests
	+ Cost of the changes, and who pays
	+ Who would benefit from the change, and who would not
	+ Whose voices are heard, and whose are not

Historic Documents in the creation of Canada

* 1701- Present – Treaties
	+ Agreements between aboriginal peoples among themselves and, later with Europeans.
* 1763 - Royal Proclamation
	+ Determined what would happen to territory taken from New France
	+ Established the framework for negotiating treaties with Canada’s Aboriginal peoples
* 1867 – British North American Act
	+ Confederation – Established the division of powers between provinces and the federal government
* 1876 – The Indian Act
	+ Defined the status of Aboriginal Peoples
	+ Determined the sale of Aboriginal Land
	+ Set licenses for the use of their resources
	+ Determined the government of Aboriginal People
* 1931 – Statute of Westminster
	+ Passed by the British Government to grant Canada more control over itself.
	+ British law no longer applied in Canada and Canada could make its own international agreements
* 1960 - Bill of rights
	+ Recognized rights and freedoms such as the freedom of speech
* 1982 - Constitution Act
	+ Included a charter of rights
	+ Made mention of Aboriginal rights
	+ Laid out rules for changing the constitution

Aboriginal Peoples and the Constitution

**Treaties**

* What are they?
	+ Agreements between nations. The terms in the treaties outline the territory, services, and compensation to be provided by the Canadian Government, as well as what treaty rights Aboriginal peoples are entitled to.
* How did they come about
	+ Before confederation in 1867, both the English and French signed treaties with the Aboriginal peoples in what is now Canada
* What did they cover?
	+ Trade, Defense, Use of resources, access to land.

**The Indian Act**

* What is it?
	+ A document gave the government unprecedented power over Canada’s First Nation peoples
* How did it come about?
	+ It was an Act of Parliament passed by the federal government in 1876
* What did it cover?
	+ It outlined the powers and responsibilities of the federal government in relation to the First Nations and their Lands.

Text Book Questions – HAND IN

* Read page 94 and answer question # 1 and 2
* Read page 96 and answer Questions # 1 and 2
* Read page 97 and answers Questions # 1 - 3

**Canada’s Constitution**

What makes our Government the way it is?

* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	+ A formal set of rules that explain how a country and its peoples are governed
	+ It does two main things
		1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
		2. Establish the rules and responsibilities of how the government is organized and operated.

The Constitution

- Roles of the Constitution

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	* Rules and procedures to ensure things run smoothly
	* Divides responsibilities between levels of government

2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* All laws of must obey the rules of the constitution
* A law can be ruled unconstitutional if it violates the constitution

3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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* Outlines the rights you have, and what your rights are limited to.

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	+ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
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